

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

DARNELL UPSHAW

CR No. 1:05-CR-10222-DPW

ASSENTED-TO MOTION TO CHANGE EVIDENTIARY HEARING DATE

Defendant Darnell Upshaw hereby moves to change the evidentiary hearing date for Mr. Upshaw's Motion to Suppress Alleged Post-Arrest Statements, from 9:00 a.m. on April 6, 2006, to 9:00 a.m. on April 12, 2006, which the parties understand to be an available date for the Court. Counsel for the United States has assented to this motion. In support of this motion, Mr. Upshaw states that counsel has a conflicting obligation on April 6, 2006, which prompted this request to be made. Accordingly, Mr. Upshaw respectfully requests that the Court change the hearing date as set forth above.

Dated: March 28, 2006

Respectfully Submitted,

DARNELL UPSHAW

By his attorneys,

/s/ Anita Bapooji Ryan

David J. Apfel, Esq. (BBO #551139)

Anita Bapooji Ryan, Esq. (BBO #644657)

GOODWIN PROCTER, LIP

Exchange Place

53 State Street

Boston, Massachusetts 02109

Telephone: (617) 570-1000

Facsimile: (617) 523-1231

LOCAL RULE 7.1(A)(2) CERTIFICATION

I, Anita Bapooji Ryan, counsel for Mr. Upshaw, hereby certify that on March 27, 2006, I conferred by telephone with Assistant U.S. Attorney James Lang, who assented to this motion.

/s/ Anita Bapooji Ryan
Anita Bapooji Ryan

CERTIFICATE OF SERVICE

I, Anita Bapooji Ryan, attorney for the Defendant Darnell Upshaw, do hereby certify that I caused a copy of this motion to be served upon Cynthia Lie, Assistant U.S. Attorney, via ECF on March 28, 2006, and also served a copy of this motion on James Lang, Assistant U.S. Attorney via facsimile (617-748-3951) on March 28, 2006.

/s/ Anita Bapooji Ryan
Anita Bapooji Ryan